

DECLARATION AND POWER OF ATTORNEY FOR PATENT APPLICATION

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name;

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled

SYSTEM AND METHOD FOR PROMOTING STORES AND PRODUCTS

the specification of which: (check one)

is attached hereto.

was filed on _____
under Attorney's Docket Number _____
as Application Serial Number _____

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to the patentability of this application in accordance with 37 CFR 1.56.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 USC 1001 and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

POWER OF ATTORNEY: As a named inventor, I hereby appoint the following attorneys and/or agents as my attorneys with full power of substitution and revocation to prosecute this application and to transact all business in the U.S. Patent and Trademark Office connected therewith.

JEFFREY M. BECKER, Reg. No. 35,442; DAVID L. McCOMBS, Reg. No. 32,271; WARREN KICE, Reg. No. 22,732; H. DALE LANGLEY, Reg. No. 35, 927; BRANDI W. SARFATIS, Reg. No. 37,713; PHILLIP B. PHILBIN, Reg. No. 35,979; TIMOTHY HEADLEY, Reg. No. 31,765 and J.R. BELL, Reg. No. 26,528 and JOHN MOETTELI, Reg. No. 35,289.

Send correspondence to: Jeffrey M. Becker, Haynes and Boone, L.L.P., 3100 NationsBank Plaza, 901 Main Street, Dallas, Texas 75202-3789 and direct all telephone calls to Jeffrey M. Becker at (214) 651-5066.

PATENT
DOCKET NUMBER: 21651.3

FULL NAME OF INVENTOR: Rodney L. Dockery

INVENTOR'S SIGNATURE: Rodney L. Dockery

DATE: March 6, 1997

RESIDENCE: 4531 Park Lane, Dallas, Texas 75220

CITIZENSHIP: United States of America

POST OFFICE ADDRESS: 4531 Park Lane, Dallas, Texas 75220

FULL NAME OF INVENTOR: Caleb J. Pirtle

INVENTOR'S SIGNATURE: Caleb J. Pirtle

DATE: March 6, 1997

RESIDENCE: 408 N. Preston Road, Ennis, Texas 75119

CITIZENSHIP: United States of America

POST OFFICE ADDRESS: 408 N. Preston Road, Ennis, Texas 75119

D-391717.1

SEARCHED SERIALIZED INDEXED

APPLICANT or PATENTEE Rodney L. Dockery, et al.

Serial No.: N/A

Attorney's Docket No. 21651.3

Filed: Herewith

For: System and Method for Promoting Stores and Products

**VERIFIED STATEMENT (DECLARATION) CLAIMING SMALL ENTITY STATUS
(37 C.F.R. § 1.9(f) and 1.27(c)) - SMALL BUSINESS CONCERN**

I hereby declare that I am:

an official of the small business concern empowered to act on behalf of the concern identified below:

NAME OF CONCERN Heritage Publishing, Inc.

ADDRESS OF CONCERN 1720 Regal Row, Suite 228, Dallas, Texas 75235

I hereby declare that the above identified small business concern qualifies as a small business concern as defined in 13 C.F.R. § 121.3-18, and reproduced in 37 C.F.R. § 1.9(d), for purposes of paying reduced fees under Section 41(a) and (b) of Title 35, United States Code, in that the number of employees of the concern, including those of its affiliates, does not exceed 500 persons. For purposes of this statement, (1) the number of employees of the business concern is in the average over the previous fiscal year of the concern of the persons employed on a full-time, part-time, or temporary basis during each of the pay periods of the fiscal year, and (2) concerns are affiliates of each other when either, directly or indirectly, one concern controls or has the power to control the other, or a third party or parties controls or has the power to control both.

I hereby declare that rights under contract or law have been conveyed to and remain with the small business concern identified above with regard to the invention, entitled System and Method for Promoting Stores and Products described in:

the specification filed herewith.

If the rights held by the above identified small business concern are not exclusive, each individual, concern or organization having rights to the invention is listed below* and no rights to the invention are held by any person, other than the inventor, who could not qualify as a small business concern under 37 C.F.R. § 1.9(d) or by any concern which would not qualify as a small business concern under 37 C.F.R. § 1.9(d) or a nonprofit organization under 37 C.F.R. § 1.9(e).

I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate. (37 C.F.R. § 1.28(b))

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this verified statement is directed.

NAME OF PERSON SIGNING Rodney L. Dockery

TITLE OF PERSON President

ADDRESS OF PERSON SIGNING 1720 Regal Row, Suite 228, Dallas, Texas 75235

SIGNATURE: 

DATE: March 6, 1997

APPLICANT: Rodney L. Dockery and Caleb J. Pirtle

Serial or Patent No.: N/A

Docket No. 21651.3

Filed or Issued: Filed Herewith

For: System and Method for Promoting Stores and Products

**VERIFIED STATEMENT (DECLARATION) CLAIMING SMALL ENTITY STATUS
(37 C.F.R. § 1.9(f) and 1.27(b)) - INDEPENDENT INVENTOR**

As a below named inventor, I hereby declare that I qualify as an independent inventor as defined in 37 C.F.R. § 1.9(c) for purposes of paying reduced fees under Section 41(a) and (b) of Title 35, United States Code, to the Patent and Trademark Office with regard to the invention entitled System and Method for Promoting Stores and Products described in:

the specification filed herewith.
 application serial no. _____, filed _____.
 patent no. _____, issued _____.

I have not assigned, granted, conveyed or licensed and am under no obligation under contract or law to assign, grant, convey or license, any rights in the invention to any person who could not be classified as an independent inventor under 37 C.F.R. § 1.9(c) if that person had made the invention, or to any concern which would not qualify as a small business concern under 37 C.F.R. § 1.9(d) or a nonprofit organization under 37 C.F.R. § 1.9(e).

Each person, concern or organization to which I have assigned, granted, conveyed, or licensed or am under an obligation under contract or law to assign, grant, convey, or license any rights in the invention is listed below:

no such person, concern, or organization
 persons, concerns or organizations listed below*

*NOTE: Separate verified statements are required from each named person, concern or organization having rights to the invention averring to their status as small entities. (37 C.F.R. § 1.27)

FULL NAME Heritage Publishing, Inc.

ADDRESS 1720 Regal Row, Suite 228, Dallas, TX 75235

INDIVIDUAL
 SMALL BUSINESS CONCERN
 NONPROFIT ORGANIZATION

I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate. (37 CFR § 1.28(b))

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this verified statement is directed.

NAME OF FIRST INVENTOR: Rodney L. Dockery

SIGNATURE OF INVENTOR: Rodney L. Dockery

DATE: March 6, 1997

NAME OF SECOND INVENTOR: Caleb J. Pirtle

NATURE OF INVENTOR: Caleb J. Pirtle

DATE: March 6, 1997